IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 13TH MARCH 2007 / 22ND PHALGUNA 1928

Bail Appl..No. 1513 of 2007()

CRIME NO.18/2007 OF CHAVARA THEKKUMBHAGAM POLICE STATION

PETITIONER/ACCUSED

RAJESH KUMAR, ELANJIKKAL HOUSE,
MULLIKKALA MURI, THEVALAKKARA VILLAGE.

BY ADV. SRI.K.ABDUL JAWAD

RESPONDENTS: COMPLAINANTS

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1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. SUB INSPECTOR OF POLICE,
CHAVARA THEKKUMBHAGAM POLICE STATION.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1513/2007

Dated this 13th day of March, 2007

O R D E R

The petitioner, who is the husband of the defacto complainant, Sheela, and who is the accused in Crime No.18/2007 of Chavara Thekkumbhagam Police Station for offences punishable under Sections 498-A, 323 and 326 IPC, seeks anticipatory bail.

2. The marriage between the petitioner and Sheela was in the year 2005 and one child is also born in that wedlock. The case of the defacto complainant is that on questioning her husband about his extra marital affair, he assaulted her resulting in sustaining fracture of her left leg.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer and then to have his application for regular bail ordered by the Magistrate concerned. Accordingly, the petitioner is directed to surrender before the Investigating Officer on any day

between 20.3.2007 and 22.3.2007 for the purpose of interrogation. Thereafter, the petitioner shall be produced on the same day before the Magistrate concerned, who shall release him on bail on appropriate conditions.

The application is disposed of as above.

V.RAMKUMAR,
JUDGE

mrcs